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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,577	10/15/2003	Cameron A. Pope	CREO.01USU1 (C525 0343)	7768
27479	7590	05/02/2006	EXAMINER	
COCHRAN FREUND & YOUNG LLC 2026 CARIBOU DR SUITE 200 FORT COLLINS, CO 80525			LEWIS, CHERYL RENE	
			ART UNIT	PAPER NUMBER
			2167	

DATE MAILED: 05/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/687,577		POPE ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Cheryl Lewis		2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 October 2003.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-64 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 and 33-64 is/are rejected.
- 7) ☒ Claim(s) 32 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/23/04</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-64 are presented for examination.

#### ***Allowable Subject Matter***

2. Claim 32 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 1, 39, 42, 56, and 59 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

#### **MPEP 2106 IV.B.2.(b)**

A claim that requires one or more acts to be performed defines a process. However, not all processes are statutory under 35 U.S.C. 101. Schrader, 22 F.3d at 296, 30 USPQ2d at 1460. To be statutory, a claimed computer-related process must either: (A) result in a physical transformation outside the computer for which a practical application in the technological arts is either disclosed in the specification or would have been known to a skilled artisan, or (B) be limited to a practical application within the technological arts.

5. Claims 1, 39, 42, 56, and 59 are not statutory because they merely recite a number of computing steps without producing any tangible result and/or being limited to

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a practical application within the technological arts. **The use of a computer has not been indicated.**

These claims do not indicate the use of hardware on which the software runs to perform the steps recited in the body of the claim. Software or program can be stored on a medium and/or executed by a computer. In other words the software must be computer-readable executed on a computer. The use of a computer is not evident in the claims. MPEP 2106.IV.B1(a) refers to "computer-readable" medium with computer program encoded on it."

### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-31 and 33-64 are rejected under 35 U.S.C. 102(e) as being anticipated by Estrada (Publication No: US 2003/0135565 A1, filed March 11, 2002, Provisional Application 60/347,236 filed January 14, 2002).

8. Regarding Claims 1 and 43, Estrada teaches an electronic mail application with integrated collaborative space management.

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The method and associated system for an electronic mail application with integrated collaborative space management as taught or suggested by Estrada includes:

collecting data (paragraph 0102, figure 5, elements 502 and 506a-506e, paragraph 0106, lines 1-12) relating to the plurality of information resources (paragraph 0102, figure 5, elements 502 and 506a-506e, paragraph 0106, lines 1-12) and determining relationships (paragraph 0102, figure 5, elements 502 and 506a-506e, '...selectable information portions 506a-506e may include name 506a, size 506b, author 506c modified 506d, type 506e...', paragraph 0106, lines 1-12) among the plurality of information resources wherein the information resources comprise information resources of a plurality of types (paragraph 0102, figure 5, elements 502 and 506a-506e, paragraph 0104, figure 7, 'The selectable information portions 706a-706e may include full name 706a, e-mail 706b, status 706c, company 706d, and business phone 706e.', paragraph 0106, lines 1-12); determining a current focus of a user (paragraphs 0108-0114), wherein the current focus is an information resource of one of the plurality of types (paragraph 0112-0114); identifying information resources related to the current focus (paragraph 0120), the information resources related to the current focus comprising zero or more information resources of each of the plurality of types (paragraph 0120); and, separately making available for selection by the user the identified information resources of each of the plurality of types (paragraph 0102 '...selectable information portions...', paragraph 0108, 'The user may select New button 612 using, for example, a conventional computer mouse or keyboard, voice recognition

software, light pen, touch-screen or other input mechanism, to invite a new user to be a participant in the project').

9. Regarding Claim 2, Estrada teaches determining the current focus comprises monitoring activities of the user in the computerized environment (paragraphs 0108-0114 and 0120).

10. Regarding Claim 3, Estrada teaches the current focus comprises receiving a user input specifying the current focus (paragraphs 0108-0114 and 0120).

11. Regarding Claim 4, Estrada teaches collecting data relating to the plurality of information resources comprises periodically collecting data on at least one of structure (paragraph 0102, figure 5, elements 502 and 506a-506e, paragraph 0106, lines 1-12).

12. Regarding Claim 5, Estrada teaches determining relationships among the plurality of information resources identifying information resources which are either messages in a conversation comprising a plurality of messages or are associated with messages in the conversation (paragraph 0102, figure 5, elements 502 and 506a-506e, paragraph 0106, lines 1-12, 0108-0114 and 0120).

13. Regarding Claim 6, Estrada teaches identifying information resources related to the current focus comprises locating information resources having at least one relationship to the current focus (paragraph 0102, figure 5, elements 502 and 506a-506e, paragraph 0106, lines 1-12, 0108-0114 and 0120).

14. Regarding Claim 7, Estrada teaches the plurality of types include messages, people and files (paragraph 0102, figure 5, elements 502 and 506a-506e, paragraph 0104, figure 7, 'The selectable information portions 706a-706e may include full name

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706a, e-mail 706b, status 706c, company 706d, and business phone 706e.', paragraph 0106, lines 1-12).

15. Regarding Claim 8, Estrada teaches identifying conversations in which the focus person has participated; and identifying files attached to messages in the conversations in which the focus person has participated (paragraph 0118).

16. Regarding Claim 9, Estrada teaches identifying files relevant to the focus person also comprises identifying at least one file having a name similar to a name of at least one of the files attached to the messages in the conversation (paragraphs 0118-0120).

17. Regarding Claim 10, Estrada teaches identifying conversations in which the focus person has participated (paragraphs 0118-0120); and identifying messages in the conversations in which the focus person has participated (paragraphs 0118-0120).

18. Regarding Claim 11, Estrada teaches identifying conversations in which the focus person has participated; and identifying other persons who have participated in the conversations in which the focus person has participated (paragraphs 0118-0120).

19. Regarding Claims 12-18, the limitations of these claims have been noted in the rejections of claims 1-11 presented above. They are therefore rejected as set forth above.

20. Regarding Claim 19, Estrada teaches identifying files relevant to the focus file also comprises identifying at least one file having a name similar to a name of at least one of the files attached to the messages' in the identified conversation (paragraph 0102, figure 5, elements 502 and 506a-506e, '...selectable information portions 506a-

506e may include name 506a, size 506b, author 506c modified 506d, type 506e...', paragraph 0106, lines 1-12, 0118-0120).

21. Regarding Claim 20, Estrada teaches identifying information resources related to the current focus comprises locating information resources having a predetermined type of relationship to the current focus (paragraph 0102, figure 5, elements 502 and 506a-506e, '...selectable information portions 506a-506e may include name 506a, size 506b, author 506c modified 506d, type 506e...', paragraph 0106, lines 1-12, 0118-0120).

22. Regarding Claim 21, Estrada teaches making the identified information resources available for selection by the user comprises displaying representations of the identified information resources in a display of the computer environment (paragraph 0102, figure 5, elements 502 and 506a-506e, '...selectable information portions 506a-506e may include name 506a, size 506b, author 506c modified 506d, type 506e...', paragraph 0106, lines 1-12, 0118-0120).

23. Regarding Claim 22, Estrada teaches updating the identified information as the current focus changes (paragraph 0102, figure 5, elements 502 and 506a-506e, '...selectable information portions 506a-506e may include name 506a, size 506b, author 506c modified 506d, type 506e...', paragraph 0106, lines 1-12, 0118-0120).

24. Regarding Claim 23, Estrada teaches identifying information resources related to the current focus comprises determining a relevance of each of the information resources to the current focus (paragraph 0102, figure 5, elements 502 and 506a-506e, '...selectable information portions 506a-506e may include name 506a, size 506b, author 506c modified 506d, type 506e...', paragraph 0106, lines 1-12, 0118-0120).



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25. Regarding Claim 24, Estrada teaches determining a relevance of each of the information resources to the current focus comprises, for at least some of the information resources examining each of a plurality of relationships between the information resource and the current focus (paragraph 0102, figure 5, elements 502 and 506a-506e, '...selectable information portions 506a-506e may include name 506a, size 506b, author 506c modified 506d, type 506e...', paragraph 0106, lines 1-12, 0118-0120), the plurality of relationships of different types, assigning different weights corresponding to the different types of relationships and computing a relevance measure for each of the information resources based upon the plurality of relationships and the corresponding weights (paragraph 0102, figure 5, elements 502 and 506a-506e, '...selectable information portions 506a-506e may include name 506a, size 506b, author 506c modified 506d, type 506e...', paragraph 0106, lines 1-12, 0118-0120).

26. Regarding Claim 25, Estrada teaches determining a relevance of each of the information resources to the current focus comprises identifying at least one conversation associated with the current focus (paragraph 0102, figure 5, elements 502 and 506a-506e, '...selectable information portions 506a-506e may include name 506a, size 506b, author 506c modified 506d, type 506e...', paragraph 0106, lines 1-12, 0118-0120), the conversation comprising a plurality of messages, the current focus comprising one of the messages or an information resource associated with one of the messages in the conversation and determining a relevance of each of the information resources to the conversation (paragraph 0102, figure 5, elements 502 and 506a-506e, '...selectable information portions 506a-506e may include name 506a, size 506b, author

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506c modified 506d, type 506e...', paragraph 0106, lines 1-12, 0118-0120, and paragraph 0150).

27. Regarding Claims 26, Estrada teaches information resources can have any of a plurality of roles in relation to the messages of the conversation and determining a relevance of each of the information resources to the conversation comprises computing a raw value based on a weighted sum of the number of times that each of the information resources has each one of the plurality of roles in relation to the messages of the conversation (paragraph 0102, figure 5, elements 502 and 506a-506e, '...selectable information portions 506a-506e may include name 506a, size 506b, author 506c modified 506d, type 506e...', paragraph 0106, lines 1-12, 0118-0120, and paragraph 0150).

28. Regarding Claim 27, Estrada teaches normalizing the raw values for each of the information resources (paragraph 0102, figure 5, elements 502 and 506a-506e, '...selectable information portions 506a-506e may include name 506a, size 506b, author 506c modified 506d, type 506e...', paragraph 0106, lines 1-12, 0118-0120).

29. Regarding Claim 28, Estrada teaches the information resources are persons, and the plurality of roles includes at least sending messages in the conversation and receiving messages in the conversation (paragraph 0102, figure 5, elements 502 and 506a-506e, '...selectable information portions 506a-506e may include name 506a, size 506b, author 506c modified 506d, type 506e...', paragraph 0106, lines 1-12, 0118-0120).

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30. Regarding Claims 28-31, 33-39, 40, 41, 44-55, 57-64, the limitations of these claims have been noted in the rejections of claims 1-27 above. They are therefore rejected as set forth above.

31. Regarding Claim 39, Estrada teaches examining data and content regarding information resources (paragraph 0102, figure 5, elements 502 and 506a-506e, paragraph 0106, lines 1-12); and inferring relationships between information resources by comparing indirect data between information resources (paragraph 0102, figure 5, elements 502 and 506a-506e, '...selectable information portions 506a-506e may include name 506a, size 506b, author 506c modified 506d, type 506e...', paragraph 0106, lines 1-12, paragraph 0104, figure 7, 'The selectable information portions 706a-706e may include full name 706a, e-mail 706b, status 706c, company 706d, and business phone 706e.', paragraph 0106, lines 1-12).

32. Regarding Claim 42, Estrada teaches automatically collecting data regarding information resources available in the computerized environment (paragraph 0102, figure 5, elements 502 and 506a-506e, '...selectable information portions 506a-506e may include name 506a, size 506b, author 506c modified 506d, type 506e...', paragraph 0106, lines 1-12, paragraph 0104, figure 7, 'The selectable information portions 706a-706e may include full name 706a, e-mail 706b, status 706c, company 706d, and business phone 706e.', paragraph 0106, lines 1-12); determining relationships between the information resources (paragraph 0102, figure 5, elements 502 and 506a-506e, '...selectable information portions 506a-506e may include name 506a, size 506b, author 506c modified 506d, type 506e...', paragraph 0106, lines 1-12,

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paragraph 0104, figure 7, 'The selectable information portions 706a-706e may include full name 706a, e-mail 706b, status 706c, company 706d, and business phone 706e.', paragraph 0106, lines 1-12); determining a user activity focus (paragraph 0102, figure 5, elements 502 and 506a-506e, '... selectable information portions 506a-506e may include name 506a, size 506b, author 506c modified 506d, type 506e...', paragraph 0106, lines 1-12, paragraph 0104, figure 7, 'The selectable information portions 706a-706e may include full name 706a, e-mail 706b, status 706c, company 706d, and business phone 706e.', paragraph 0106, lines 1-12); organizing each of the information resources relating to the user activity focus (paragraph 0102, figure 5, elements 502 and 506a-506e, '... selectable information portions 506a-506e may include name 506a, size 506b, author 506c modified 506d, type 506e...', paragraph 0106, lines 1-12, paragraph 0104, figure 7, 'The selectable information portions 706a-706e may include full name 706a, e-mail 706b, status 706c, company 706d, and business phone 706e.', paragraph 0106, lines 1-12); and determining relative relevances of the organized information resources (paragraph 0102, figure 5, elements 502 and 506a-506e, '... selectable information portions 506a-506e may include name 506a, size 506b, author 506c modified 506d, type 506e...', paragraph 0106, lines 1-12, paragraph 0104, figure 7, 'The selectable information portions 706a-706e may include full name 706a, e-mail 706b, status 706c, company 706d, and business phone 706e.', paragraph 0106, lines 1-12).

33. Regarding Claim 56, Estrada teaches a first component examining data regarding the information resources (paragraph 0102, figure 5, elements 502 and 506a-

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506e, '...selectable information portions 506a-506e may include name 506a, size 506b, author 506c modified 506d, type 506e...', paragraph 0106, lines 1-12, paragraph 0104, figure 7, 'The selectable information portions 706a-706e may include full name 706a, e-mail 706b, status 706c, company 706d, and business phone 706e.', paragraph 0106, lines 1-12); and a second component for determining explicit relationships between the information resources by examining similarity of data between the information resources (paragraph 0102, figure 5, elements 502 and 506a-506e, '...selectable information portions 506a-506e may include name 506a, size 506b, author 506c modified 506d, type 506e...', paragraph 0106, lines 1-12, paragraph 0104, figure 7, 'The selectable information portions 706a-706e may include full name 706a, e-mail 706b, status 706c, company 706d, and business phone 706e.', paragraph 0106, lines 1-12).

***NAME OF CONTACT***

34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (571) 272-4113. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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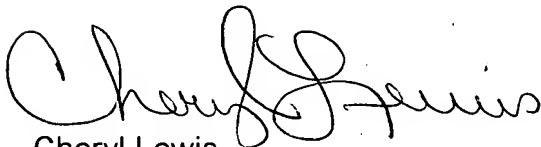
(571) 273-4113 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/ Technology Center (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cheryl Lewis  
Patent Examiner  
April 28, 2006